

UNITED STATES BANKRUPTCY COURT
MIDDLE DISTRICT OF GEORGIA

IN RE:

CHAPTER 13

Case Number: 15-40852-JTL

Jeffrey Vernon Lowe
3860 Gention Blvd., Apt 30
Columbus, GA 31907
Judie Ann Lowe
310 Griffin Gate Drive, Apt. 8F
Hopkinsville, KY 42240

NOTICE OF MOTION TO DISMISS CHAPTER 13 CASE

THE CHAPTER 13 TRUSTEE, JONATHAN W. DELOACH, HAS FILED DOCUMENTS WITH THE UNITED STATES BANKRUPTCY COURT, P.O. Box 2147, Columbus, GA 31902, (706) 649 - 7837 TO DISMISS YOUR CHAPTER 13 CASE PURSUANT TO 11 U.S.C. SECTION 1307.

YOUR RIGHTS MAY BE AFFECTED. You should read these documents carefully and discuss them with your attorney, if you have one in this bankruptcy case. If you do not have an attorney, you may wish to consult one. If not served with this notice in accordance with the Bankruptcy Code or the Federal Rules of Bankruptcy Procedure, a copy of the motion may be obtained upon written request to counsel for the Chapter 13 Trustee, Jonathan W. DeLoach or at the Clerk's office.

If you do not want the court to dismiss your chapter 13 case, or if you want the court to consider your views on the motion, then you or your attorney must attend the hearing scheduled on:

November 10, 2020 9:00 am
One Arsenal Place, Suite 309
901 Front Avenue
Columbus, GA

**This hearing may be conducted telephonically due to the Covid-19 Pandemic.*

If you or your attorney does not take these steps, the court may decide that you do not oppose the relief sought in the motion and may enter an order granting relief.

This notice is sent by the undersigned pursuant to M.D.GA. LBR 9004-1(C).

This 20th day of October 2020

/s/ Kristin Hurst

Kristin Hurst GA Bar No. 654213 for
CHAPTER 13 TRUSTEE

P.O. Box 1907
Columbus, GA 31902
Phone (706) 327-4151
ecf@ch13trustee.com

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MOTION TO DISMISS CHAPTER 13 CASE

Now comes the Standing Chapter 13 Trustee and pursuant to 11 U.S.C. Section 1307, FRBP 1017, FRBP 9014, shows the following:

That the undersigned is the duly appointed, qualified and acting Trustee in the above referenced case.

The debtor (s) have defaulted in the installment payments due pursuant to the plan confirmed by the Court.

The debtor (s) have failed to propose a reasonable method to cure the default, or have otherwise failed to show that the default was in good faith.

The debtor's plan will exceed the allotted five year limitation from confirmation.

The Bankruptcy Court has no authority to allow the case to extend beyond the five years.

WHEREFORE, the Trustee prays that the debtor's (s') Chapter 13 case be dismissed.

This 20th day of October 2020

/s/ Kristin Hurst

Kristin Hurst GA Bar No. 654213 for
CHAPTER 13 TRUSTEE

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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that I have served a true and correct copy of the within and foregoing document (1) via electronic notice to parties who are ECF Filers and Consenting Users, (2) via electronic notice to ECF Filers and Consenting Users who represent parties, or (3) depositing it in the United States mail with first class postage attached thereto to all other interested parties not served by electronic means at their addresses shown below.

This 20th day of October 2020

Jeffrey Vernon Lowe
3860 Gentian Blvd., Apt 30
Columbus, GA 31907

(Debtor)

Judie Ann Lowe
310 Griffin Gate Drive, Apt.
8F
Hopkinsville, KY 42240

(Debtor)

The Slomka Law Firm, P.C.

(Counsel for Debtor)

/s/ Kristin Hurst

Kristin Hurst GA Bar No. 654213 for
CHAPTER 13 TRUSTEE

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